



# **CRS Report for Congress**

## **War on Drugs: The National Youth Anti-Drug Media Campaign**

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### **Summary**

Authorization of the National Youth Anti-Drug Media Campaign, a multi-media federal program to persuade America's youth not to use drugs, expired at the end of FY2002. H.R. 2086 (passed by the House on September 30, 2003) and S. 1860 would reauthorize the media campaign through FY2008. The campaign's effectiveness has been questioned, and the program has engendered its share of controversy. Nevertheless, the Office of National Drug Control Policy, which runs the campaign, is optimistic that recent changes in campaign strategy will help to reduce illegal drug use by young people. This report will be updated as legislative activity occurs.

### **Background**

Although it accounts for less than 1% of the federal drug-control budget, the National Youth Anti-Drug Media Campaign is, for many Americans, the most visible aspect of the war on drugs. This is by design. The campaign's strategy is based on the belief that its efforts to persuade young people not to use illegal drugs will be effective only if its messages are seen repeatedly by large numbers of youth and by the adults who influence them — such as parents, teachers, clergy, and mentors. According to congressional testimony in 2003, the campaign's broadcast, print, and Internet ads reach about 90% of all teens at least four times per week at a cost to taxpayers of less than \$8 per teenager per year.<sup>1</sup>

The media campaign was authorized by the Drug-Free Media Campaign Act of 1998.<sup>2</sup> This law, less than two pages in length, instructed the Director of the Office of National Drug Control Policy (commonly referred to as the "Drug Czar") to "conduct a

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<sup>1</sup> The facts cited in this paper, unless otherwise noted, are drawn from: U.S. Congress, House Committee on Government Reform, *ONDCP Reauthorization: The National Youth Anti-Drug Media Campaign*, 108<sup>th</sup> Congress, 1<sup>st</sup> sess., March 27, 2003 (Washington: GPO, 2003).

<sup>2</sup> P.L. 105-277, Division D, Title I, Sect. 102, Oct. 21, 1998; 112 Stat. 2681-752; 21 U.S.C. 1801.



national media campaign ... for the purpose of reducing and preventing drug abuse among young people in the United States.” The antidrug media campaign is an attempt at behavior change, forms of which have been used in other government campaigns and are used by non-governmental organizations and commercial marketers. It seeks to reinforce existing antidrug attitudes in youth and adults and reverse the attitudes of those who have positive ideas about illegal drugs, thereby reducing the number of drug-using youth.

The media campaign is a public-private partnership. Most of the campaign’s advertisements have been produced by the Partnership for a Drug Free America (PDFA), a non-profit organization that recruits advertising agencies to develop creative concepts on a pro bono basis. Appropriated media campaign funds are then used to cover the costs of actually making the antidrug ads. The Partnership itself receives minimal federal funding. Its relationship with the Office of National Drug Control Policy (ONDCP) has made PDFA the single largest public service initiative in the history of advertising.

In addition to media ads, the campaign has a non-advertising component consisting of public outreach and specialized supporting communications efforts. These include the operation of antidrug Web sites, meetings with news and entertainment writers and editors to encourage them to promote antidrug messages, and a corporate sponsorship program under which leading corporations insert antidrug messages into their own communications with their customers and the public.

## Program Funding

The Drug-Free Media Campaign Act authorized appropriations to ONDCP of \$195 million for each fiscal year from 1999 through 2002 — a total of \$975 million — to run the campaign. The Administration had originally proposed a somewhat less generous \$175 million per year budget — for a total of \$875 million — although subsequent budget requests were for larger amounts. Actual appropriations through FY2002 of \$930 million amounted to \$55 million more than originally proposed and \$45 million less than the authorized level. Although the authorization expired at the end of FY2002, funds were appropriated to continue the campaign in fiscal years 2003 and 2004, albeit at a reduced level (see **Table 1**.) In total, over the past 6 years, Congress has appropriated more than \$1 billion to the media campaign, making it one of the country’s largest advertisers.

The President’s budget submission for FY2004 provided the following comment about the campaign (*Appendix*, p. 1053):

In 2002, the Office of Management and Budget (OMB) conducted a systematic review of more than 200 Federal programs to assess their performance in a number of areas. The National Youth Anti-Drug Media Campaign has not demonstrated the results sought and does not yet have adequate performance measures and related goals. The OMB recommended actions include: (1) continued emphasis on developing acceptable performance measures and goals; (2) allowing sufficient time for the effects of recent ONDCP actions to be realized before pursuing changes to the program; (3) seeking no funding increases for the program; and (4) making FY2005 funding contingent upon improved results.

**Table 1. Media Campaign Appropriations, by Fiscal Year**  
(Dollars in Millions)

Fiscal year	Authorized	Administration request	House passed	Senate passed	Final appropriation
1998	\$ 195.0	\$ 175.0	\$ 195.0	\$ 110.0	\$ 195.0
1999	\$ 195.0	\$ 195.0	\$ 185.0	\$ 110.0	\$ 185.0
2000	\$ 195.0	\$ 185.0	\$ 195.0	\$ 96.5	\$ 185.0
2001	\$ 195.0	\$ 185.0	\$ 185.0	\$ 98.7	\$ 185.0
2002	\$ 195.0	\$ 185.0	\$ 180.0	\$ 185.0	\$ 180.0
2003	—	\$ 180.0	\$ 170.0	\$ 100.0	\$ 150.0
2004	—	\$ 170.0	\$ 150.0	\$ 100.0	\$ 145.0
2005	—	\$ 145.0	TBD	TBD	TBD

**Source:** Table prepared by Congressional Research Service (CRS) from Administration budget requests and from appropriation bills. (Amounts shown are pre-rescission; rescissions were 0.38% in FY2000, 0.22% in FY2001, 0.65% in FY2003, and 0.59% in FY2004.)

## Early Implementation of the Campaign

Phase I of the campaign, January-July 1998, consisted of a 12-city test pilot of ads addressed to various ethnic and geographic audiences. Audience awareness surveys and focus groups were conducted. Phase II, August 1998-July 1999, moved the campaign's testing and evaluation to the national stage with antidrug ads on television, radio, print, and outdoor media. Internet sites for youth, parents, and community partners were launched. Partnerships were begun with corporations, community antidrug coalitions, and state and local governments. Research efforts continued.

In 1999, after conducting a series of panels composed of national experts in public health, social marketing, advertising, and youth behavior change, ONDCP organized Phase III of the campaign. The decision was made to target the campaign's prevention efforts toward youths aged 9 to 18 but with an emphasis on so-called "tweens," those aged 11 to 13 (7<sup>th</sup> and 8<sup>th</sup> graders). National surveys showed that drug use first began at the ages of 11 to 13, but was not yet widespread. It was believed that focusing on these younger youth would be the most effective strategy. "Stopping drug use before it starts" became a familiar refrain of then-Drug Czar Barry McCaffrey. Phase III commenced in August 1999 with all elements in place, including additional partnerships with national media, entertainment, and sports organizations as well as civic, professional, and community groups.

## The Matching Requirement and an Early Controversy

The campaign's authorizing legislation has a matching requirement. Media companies that are paid by the campaign to run antidrug ads are required to donate an equal amount of advertising time or space or other in-kind contributions to the antidrug

effort. ONDCP contracts with the Advertising Council to run this National Media Match Program, which has garnered \$447 million worth of pro bono TV and radio time for public service announcements (PSAs). In addition to the campaign's core ads, the matching requirement can be met by airing the PSAs of other agencies or groups — such as the YMCA — whose programs reinforce ONDCP's youth drug prevention strategy.

Early in the program, ONDCP began giving credit toward the matching requirement to television networks whose programs contained antidrug story lines. The networks could then reclaim the credited time it owed to the government and resell it to commercial advertisers at the going rate. Some magazines participating in the campaign also were credited with meeting the matching requirement by printing stories or editorials with antidrug content. Under this scheme, the networks earned \$21.8 million in FY1999 by selling air-time that, in the absence of the credits for antidrug messages embedded in their programs, would have been donated to the campaign under the matching requirement.<sup>3</sup>

This practice was publicized in January 2000, in the online magazine *Salon*, by freelance reporter Daniel Forbes, who also claimed that, in some cases, ONDCP was reviewing scripts and suggesting changes to make shows conform to the campaign's antidrug message.<sup>4</sup> The next day, the story appeared on the front page of the *Washington Post*<sup>5</sup> and was picked up by other media outlets, resulting in congressional hearings at which ONDCP officials denied influencing the content of TV shows and magazine articles. Following the controversy, FY2001 appropriations language prohibited the practice of crediting media outlets on the basis of story content.<sup>6</sup> At least one law review article has deemed the practice unconstitutional.<sup>7</sup>

## Oversight and Evaluation

The campaign's authorizing and appropriations language both require rigorous evaluation of the program. ONDCP has allocated over \$50 million for research and evaluation of the program. The National Institute on Drug Abuse (NIDA) manages the Phase III evaluation process for ONDCP and awarded the prime evaluation contract to Westat, Inc. Results are derived from a nationally representative household survey of youths and parents. In May 2002, NIDA released a Westat evaluation report that found little evidence that the youth campaign had had direct, favorable effects between 2000 and

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<sup>3</sup> U.S. Congress, House, Committee on Commerce, Subcommittee on Telecommunications, Trade, and Consumer Protection, *The White House, the Networks and TV Censorship*, hearing, 106<sup>th</sup> Congress, 2<sup>nd</sup> sess., Feb. 9, 2000 (Washington: GPO, 2000), p. 40.

<sup>4</sup> Forbes, Daniel, "Prime-Time Propaganda," *Salon*, Jan. 13, 2000. Forbes' stories on this issue can be accessed in the archives of Salon.com.

<sup>5</sup> Kurtz, Howard, and Sharon Waxman, "White House Cut Anti-Drug Deal with TV," *Washington Post*, Jan. 14, 2000, p. A1.

<sup>6</sup> U.S. Congress, Conference Committees, 2000, *Making Omnibus Consolidated and Emergency Supplemental Appropriations for Fiscal Year 2001*, conference report to accompany H.R. 4577, H.Rept. 106-1033, 106<sup>th</sup> Cong., 2<sup>nd</sup> sess. (Washington: GPO, 2000), pp. 390-391.

<sup>7</sup> Berschadsky, Ariel, "White House Anti-Drug Policy: Statutory and Constitutional Implications," *Cardozo Arts and Entertainment Law Journal*, v. 19, 2001, p. 199.

2001 on drug use by young Americans, although it was found to modify parental behavior.<sup>8</sup> In its subsequent November 2002 report, Westat stated:

There is little evidence of direct favorable Campaign effects on youth. There is no statistically significant decline in marijuana use to date, and some evidence for an increase in use from 2000 to 2001. Nor are there improvements in beliefs and attitudes about marijuana use between 2000 and the first half of 2002. Contrarily, there are some unfavorable trends in youth anti-marijuana beliefs. Also there is no tendency for those reporting more exposure to Campaign messages to hold more desirable beliefs.<sup>9</sup>

Congressional appropriators, informed by these and other evaluations of the media campaign, have frequently expressed concern about the campaign. For example, after noting that total appropriations since the inception of the campaign had exceeded \$1 billion, the FY2003 appropriations conference report stated: "The conferees are deeply disturbed by the lack of evidence that the National Youth Anti-Drug Media Campaign has had any appreciable impact on youth drug use. ... If the campaign continues to fail to demonstrate effectiveness, then the Committees will be compelled to reevaluate the use of taxpayer money to support the Media Campaign."<sup>10</sup>

A controversial series of ads, which began running during the 2002 Super Bowl, painted drug users as implicit supporters of terrorism by indirectly providing money to terrorists. These ads were criticized as misleading and ineffective in media stories. Some critics contended that it is drug prohibition laws — not drug users — that make possible huge, illegal drug profits, some of which might be used to fund acts of terrorism. Moreover, the ads target young, infrequent users who do not account for the vast bulk of drug use — and therefore drug revenues. These ads, which are no longer run, also created friction between ONDCP and PDFA, with PDFA considering the ads off-target.

## Changes in Strategy

ONDCP Director John P. Walters convened a task force in February 2002 to examine strategic issues affecting campaign performance. The group agreed on significant changes in campaign strategy. Recognizing that the sharpest increase in drug use occurs among youth aged 14 to 16 (9<sup>th</sup> and 10<sup>th</sup> graders), the campaign's focus was shifted from "tweens" to these older teens. More rigorous testing of ads was also decided upon. In the past, not all ads were tested before they ran. Now, all TV ads would be thoroughly tested against more demanding standards before being aired. There would also be earlier involvement by ONDCP in the advertising development process.

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<sup>8</sup> O'Connell, Vanessa, "Drug Czar Says Ad Campaign Has Flopped," *Wall Street Journal*, May 14, 2002, p. B1.

<sup>9</sup> Hornik, Robert, et al. *Evaluation of the National Youth Anti-Drug Media Campaign: Fifth Semi-Annual Report of Findings Executive Summary*. (Rockville, MD: Westat, Nov. 2002), p. xi.

<sup>10</sup> U.S. Congress, Conference Committees, 2003, *Making Further Continuing Appropriations for the Fiscal Year 2003, and for Other Purposes*, conference report to accompany H.J.Res. 2, H.Rept. 108-10, 108<sup>th</sup> Cong., 1<sup>st</sup> sess. (Washington: GPO, 2003), pp. 1345-1346.

The release of Westat's May 2002 evaluation resulted in another important change. It was decided that the campaign would concentrate its efforts against marijuana. Walters said in a hearing that "it is clear that we cannot expect to make progress toward our goal of reducing youth drug use until we significantly reduce the use of marijuana, the preponderant drug of choice among youth."<sup>11</sup> H.R. 2086 would reinforce this anti-marijuana focus of the campaign with its congressional findings on the harmfulness of the drug and its provision that "the Director [of ONDCP] may emphasize prevention of youth marijuana use" in the advertising and other activities of the media campaign.

Two more changes were revealed by ONDCP Chief of Staff Chris Marston at the House hearing in March 2003 (see footnote 1). Previously, 60% of campaign ad expenditures had been directed at adults, 40% at youth. Marston announced a reversal of that ratio. He also said that the campaign would introduce the theme of treatment in its ads, beginning with an emphasis on early intervention, in an attempt to reach youth who use drugs on a regular basis or who are suspected of using drugs. Taken together, according to Marston's testimony, all of these changes "mark a substantially new and essentially re-directed Media Campaign."

## Reauthorizing Legislation in the 108<sup>th</sup> Congress

H.R. 2086 and S. 1860, bills to reauthorize ONDCP, would extend the media campaign through FY2008. The House bill would authorize appropriations of \$195 million each for FY2004 and FY2005 and \$210 million for each of the remaining 3 fiscal years. S. 1860, as introduced, would authorize \$195 million annually for all 5 years.

H.R. 2086, as introduced, contained a provision that appeared to allow the ONDCP Director to use media campaign funds to oppose the passage of state referenda that would permit medical marijuana, favor treatment over incarceration, or otherwise soften state drug laws. This proved controversial and was dropped at markup by the full Government Reform Committee. As approved by the House on September 30, 2003, the bill specifically prohibits use of campaign funds "[f]or partisan political purposes, or express advocacy in support of or to defeat any clearly identified candidate, clearly identified ballot initiative, or clearly identified legislative or regulatory proposal."

Also dropped from H.R. 2086 at the full committee markup was a provision that would have exempted media campaign ads from a November 2002 ruling of the Federal Communications Commission (FCC). This ruling requires that all ads that are run to satisfy a media outlet's matching requirement must state that the time has been furnished by ONDCP, even if the ads were produced by groups that do not want their messages tagged with implied ONDCP sponsorship. ONDCP, the Ad Council, and some of the non-profits that participate in the National Media Match program seek exemption from the FCC requirement. S. 1860, as introduced on November 14, 2003, contains the exemption.

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<sup>11</sup> U.S. Congress, Senate Committee on Appropriations, Subcommittee on Treasury and General Government, *Effectiveness of the National Youth Anti-Drug Media Campaign*, special hearing, 107<sup>th</sup> Cong., 2<sup>nd</sup> sess., June 19, 2002 (Washington: GPO, 2002), p. 14. Actually, alcohol, followed by tobacco, is the most prevalent drug used by America's youth, and such drug use, while legal for adults, is not legal for youth.